

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-25485 - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of Approval for Rezoning (ZON-18643) and Site Development Plan Review (SDR-18642) shall be required, except as amended herein.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 12/10/07, and building elevations, date stamped 11/06/07 and 12/10/07, except as amended by conditions herein.
4. A Waiver from Title 19.08.060 Residential Adjacency Requirements is hereby approved, to allow a residential adjacency setback of 70 feet where 105 feet is the minimum required at the south and west property lines.
5. The minimum distance between buildings shall be 10 feet.
6. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit for Phase I of Decatur Pines, to reflect the changes herein. Depict an eight-foot perimeter landscape buffer along the south property line where the latest revised site plan, date stamped 12/10/07, indicates seven feet.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: include accurate quantity tabulations for all landscape material and depict landscaping in conformance with Title 19.10.010 (J) (11) and Title 19.12.040. Specifically, that a minimum 24-inch box be spaced no more than 20 feet on center within the perimeter landscape buffers and a 24-inch box be planted in each required landscape finger.

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8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
15. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

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**Public Works**

17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
19. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18643 and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of construction drawings.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Major Amendment to an approved Site Development Plan Review (SDR-18642) to allow a height of forty feet for an approved assisted living facility and the addition of two 75-unit senior citizen apartment buildings as a part of a three building complex on 9.45 acres at the southwest corner of Decatur Boulevard and Deer Springs Way. The project site currently consists of one undeveloped parcel of land at the eastern edge of the city's jurisdiction that has a current approval for building one of the overall plan for this site, a 90- unit assisted living apartment development.

The proposed development will be built in phases. This review is for a slight increase in height for the approved phase one and the addition of the second and third phases. The new phases include two independent buildings with 75 units each. At their tallest the buildings are three stories and 35 feet in height. The proposed development is considered appropriate for this location. The deviations from the residential adjacency setback standard will not have a significant effect on the surrounding area and are supported; therefore, approval of this request is recommended.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
06/07/06	The City Council approved a General Plan Amendment (GPA-12847) to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
08/14/06	Staff administratively approved a Parcel Map (PMP-15245) technical review for a merger and resubdivision of two lots on 18.91 acres located at the southwest corner of Decatur Boulevard and Deer Springs Way. The map was recorded on 10/19/06.
02/21/07	The City Council approved a Rezoning (ZON-18643) to an R-3 (Medium Density Residential) District, a Special Use Permit (SUP-19004) to allow a building height of three stories and 39 feet, and a Site Development Plan Review (SDR-18642) to site a 90-unit assisted living apartment complex on the subject site. The Planning Commission and staff recommended approval.
10/23/07	A Parcel Map (PMP-25254) technical review was submitted to create three lots on 11.25 acres located at the southwest corner of Decatur Boulevard and Deer Springs Way. The blueines for this map have not been released for Mylar preparation as of 11/28/07.

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<b><i>Related Building Permits/Business Licenses</i></b>	
11/14/07	A building permit application, plan check C-0045-07, was submitted for the site. This was for a plan check review for the assisted living center, phase one of the three buildings planned for the subject site. These permits (102141 and 102144) are stilling being reviewed by the Planning and Development Department pending this request and have not been issued by the Building and Safety Department as of 01/10/08.
<b><i>Pre-Application Meeting</i></b>	
10/16/07	A pre-application meeting was held and elements of this application were discussed. Parking ratios, access issues from Decatur Boulevard and submittal requirements were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held for this application. It should be noted that at the time the General Plan Amendment (GPA-12847) was heard a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway.	

<b><i>Field Check</i></b>	
11/19/07	The Department of Planning and Development conducted a site visit that found that the site is an undeveloped parcel. There was temporary chain link fencing around the perimeter of the site. Some trash and debris had collected at the edges of the site.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	Approved: Assisted Living – 2.26 Proposed: Phase I – 3.9 and Phase II – 3.29 <b>Total: 9.45</b>

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates) Under Resolution of Intent to R-3 (Medium Density Residential)
North	Single-Family, Detached	ML (Medium-Low Density Residential)	R-1 (Single-family Residential)
	Single-Family, Attached	ML (Medium-Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

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South	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
East	Multi-Family Residential	City of North Las Vegas	City of North Las Vegas
West	Undeveloped	ML (Medium-Low Density Residential)	R-E (Residence Estates)
		PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>	X		Y

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08, the following development standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	409,028 SF	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	265 Feet	Y
• Corner	5 Feet	49 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	>10 Feet	Y
Max. Building Height			
Silver Sky @ Deer Springs (Assisted Living Apartments)	2 Stories/35 Feet	3 Stories/40 Feet	Y *
Decatur Pines Phase I & II (Senior Citizen Apartments)	2 Stories/35 Feet	3 Stories/35 Feet	Y *
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

- \* Per Title 19.08.040 in the R-3 (Medium Density Residential) District the height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060.

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*Pursuant to Title 19.08.060, the following residential adjacency standards apply:*

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope – Silver Sky	120 Feet	20 Feet	Y *
3:1 proximity slope – Phase I of Decatur Pines	105	70 Feet	N **
Adjacent development matching setback	35 Feet	> 35 Feet	Y

\* A waiver was approved as a part of the original review (SDR-18642) to allow a residential adjacency setback of 20 feet were 121.5 feet would be required.

\*\* A waiver has been requested as a part of this review that, if approved, would allow a residential adjacency setback of 70 feet were 105 feet would be required for the Decatur Pines - Phase I building at the south and west property lines.

*Pursuant to Title 19.10 and Title 19.12, the following landscape standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree / 6 Spaces	25 Trees	≈ 26 Trees	Y
Buffer: Min. Trees	1 Tree / 20 Linear Feet	≈ 79 Trees *	≈ 44 Trees *	N *
<b>TOTAL</b>		≈ 104 Trees *	≈ 70 Trees *	N *
Min. Zone Width	15 Feet (R.O.W.)		15 Feet	Y
	8 Feet (interior)		7 Feet	N **

\* The amounts tabulated are approximations as there are incomplete dimensions and quantities of trees to be provided indicated for the landscaping buffers for the new phases. Therefore, a condition of approval has been included as a part of this review that the required technical landscape plan must include quantity tabulations for all landscape material and depict landscaping in conformance with Title 19.12.040. Specifically, that a minimum 24-inch box be spaced no more than 20 feet on center within the perimeter landscape buffers.

\*\* A condition of approval has been added that requires the applicant to provide a revised site plan that depicts an eight-foot perimeter landscape buffer along the south property line where the latest revised site plan indicates seven feet.

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*Pursuant to Title 19.04 and 19.10, the following parking standards apply:*

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Assisted Living Apartments	180 Residents (2 Residents / Unit Max.)	1 Space / 3 Residents	58 Spaces	2 Spaces	29 Spaces	6 Spaces	
Senior Citizen Apartments	Phase I - 1 Bedroom Units: 75	0.75 Spaces / Unit	55 Spaces	2 Spaces	65 Spaces	10 Spaces	
	Phase II - 1 Bedroom Units: 75	0.75 Spaces / Unit	55 Spaces	2 Spaces	63 Spaces	12 Spaces	
Sub-total			167 Spaces	6 Spaces	157 Spaces	28 Spaces	Y *
TOTAL (including handicap)			173 Spaces		185 Spaces		Y

\* Due to the nature of the development the applicant intends to provide a greater percentage of the required parking as accessible spaces. The total number of parking spaces required is met.

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow a residential adjacency setback of 70 feet where 105 feet is the minimum required.	The 3:1 proximity slope would require a setback of 105 feet from the western and southern property lines.	This waiver can be supported as the adjacent property, though carrying a General Plan designation that permits single-family residential development has been set aside by the Department of Public Works for a future Civic project. Therefore; this development will not have a negative effect on the adjacent property.

## ANALYSIS

The subject site is designated M (Medium Density Residential) on the Centennial Hills Sector Map of the General Plan. This designation allows development such as multi-family-plexes, townhouses, and low-density apartments. This category allows up to 18.49 units per acre. The proposed development is in compliance with the M (Medium Density Residential) designation.



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As a companion to the initial Site Development Plan Review (SDR-18642), a Rezoning (ZON-18642) approved a resolution of intent change of zoning from R-E (Residential Estates) to R-3 (Medium Density Residential). An R-3 (Medium Density Residential) zoning district is intended to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The approved and proposed multi-family residential uses at this location are permissible in an R-3 (Medium Density Residential) zoning district which is compatible with the M (Medium Density Residential) General Plan designation.

- **Site Plan**

The site is located on the south side of Deer Springs Drive at Decatur Boulevard. This site consists of an undeveloped parcel of land at the eastern edge of the city's jurisdiction.

The proposed development will be built in phases. The new development proposed here are the Decatur Pines Phase I and Phase II (the second and third phase of the entire site development). This includes two buildings with 75 units each. At its tallest the new buildings are three stories and 35 feet in height. The site plan shows the buildings are placed along the eastern and southern sides of the development. There is abundant open space dispersed around the buildings as well as parking that is primarily oriented towards the interior of the development.

The site has had prior residential approvals, including a site development plan review (SDR-12342) which allowed a 118-lot residential subdivision to be sited here. That prior approved development made it through to the Final Map Technical Review (FMP-19136) process, but has not recorded a map.

- **Waivers**

A residential adjacency waiver is required due to the parcel to the west and south. A portion of the west parcel and the southern parcel carry residential land use designations. However, these parcels are intended for future civic development by the Department of Public Works. As this parcel is not intended to be used for single-family residential use this waiver request is supported. Residential Adjacency may be handled with a waiver per Title 19.08.060 for a multi-family residential project that is intended to meet the affordable housing objectives of the General Plan, which this development does. A waiver was approved as apart of the prior review for the assisted living facility. The proposed waiver to allow a residential adjacency setback of 70 feet where 105 feet is the minimum required is due to the placement of the Decatur Pines Phase I building.

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- **Landscape Plan**

The landscape plan depicts various landscape buffers around the perimeter of this site. There is adequate buffering area along all of the property lines except along the southern property line. A condition of approval has been that requires that the buffer be increased to eight feet as depicted on earlier site plans. There are portions of the buffer that do not appear to meet the tree spacing requirement of a maximum of 20 feet on center separation. Included in the standard condition that requires a technical landscape plan is a requirement that the plan be revised to reflect the appropriate tree spacing within the buffer areas as per Title 19.12.040.

The perimeter landscape buffers are depicted as having multiple tree species with one meeting the size standard of a minimum 24-inch box. The trees are planted in various groupings for much of the perimeter. The current plan does not correctly identify the total number of trees and shrubs to be planted but from the conceptual plan appears to not meet the minimum number of trees required. A condition has been added that the required technical landscape plan must tabulate the total number of trees and shrubs to be planted and must meet or exceed the requirements of Title 19.12.040 for plantings in the buffer areas.

- **Elevations/Floor Plan**

The building elevations illustrate three-story buildings of contemporary design. The previous site development plan review (SDR-18642) approved a three-story assisted living facility for a portion of the site. The maximum proposed height for the assisted living facility has been increased from 38.5 feet to 40 feet. The maximum proposed height of the new senior citizen apartment buildings is 35 feet. The height limitations for an R-3 (Medium Density Residential) zoning district is typically two stories or 35 feet, whichever is less; however, Title 19.08.040 Table 1, Note 5 allows a height limitation of three stories or 40 feet.

The floor plans show that there will be one bedroom residential units in each building. There is a manager's office, computer room, mail room, and entry lobby provided for each of the senior citizen apartment buildings on the first floor. On the second floor of each of the senior citizen apartment buildings there is an exercise room, office and salon space. Finally, on the third floor of each of the senior citizen apartment buildings there is a social room, library, and view deck. Each floor has it's own laundry room.

The proposed development is considered appropriate for this location and compatible with the surrounding present and future land use designations. The deviations from Code will not have a significant effect on the surrounding area and are supported. Approval of this request is recommended.

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## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is considered compatible with adjacent development and development in the area.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan. Deviations from Title 19 are minor and will not have a significant effect on the area and approval of this request is recommended.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site will gain access from Decatur Boulevard, a 120-foot Parkway Arterial, and Deer Springs Way, an 80-foot Secondary Collector. These streets will provide adequate access to and from the subject property and not negatively impact the adjacent roadways.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The building elevations depict design and materials that provide an acceptable building appropriate for this area. The landscaping material identified would also be appropriate for the area.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

Building elevations and design characteristics are not unsightly or obnoxious in appearance and are harmonious and compatible with development in the area.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

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The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction of the building.

**ASSEMBLY DISTRICT**      13

**SENATE DISTRICT**      9

**NOTICES MAILED**      568

**APPROVALS**      2

**PROTESTS**      23